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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Rm

BY _____ DEPUTY

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9 Attorneys for Plaintiffs BERTHA and MARSHAWN WASHINGTON, JR.

10 UNITED STATES DISTRICT COURT

11 IN AND FOR THE SOUTHERN DISTRICT OF CALIFORNIA

12 BERTHA WASHINGTON, an individual,) Case No.: 02-CV-0143-LAB(WM)
13 and MARSHAWN WASHINGTON, JR., by)
14 and through his guardian ad litem)
15 Theresa Cole,)
16 Plaintiffs,)
17 v.)
18)

**ORDER APPROVING SETTLEMENT
INVOLVING A MINOR AND
DISTRIBUTION OF SETTLEMENT
FUNDS**

19 COUNTY OF SAN DIEGO, a municipal) [S.D. Local Rule 17.1]
20 corporation, PETER ASTUTO, an)
21 individual, KEVIN P. CARSON, an)
22 individual, LUIS CARRILLO, an)
23 individual, JUAN CORIA, an)
24 individual, GARY ROGERS, an)
25 individual, JOHN RUSSELL, an)
26 individual, ALLEN GRIFFIN, an)
27 individual, JAMES KELLEY, an)
28 individual, PABLITA CORRALES, an)
individual, MYRNA PASILLAS, an)
individual, and JOSEPHINE)
JANSSEN, an individual,)
Defendants.)
)

Judge: Hon. William McCurine, Jr.
Ctrm: C

29 The petition of Plaintiffs BERTHA WASHINGTON, an individual,
30 and MARSHAWN WASHINGTON, JR., a minor, by and through his guardian
31 ad litem Theresa Cole, and their attorneys of record, Law Offices
32 of Eugene G. Iredale, by Eugene G. Iredale, Esq. and Ainbinder,
33 Hitzke & Gilliland, Inc., by Douglas S. Gilliland, Esq., came on

1 regularly for hearing at 11:00 a.m. in Courtroom C of the United
2 States District Court, in and for the Southern District of
3 California, the Honorable William McCurine, Jr. presiding. Also in
4 attendance were Senior Deputy County Counsel James M. Chapin and,
5 by telephone, structured settlement specialist Manny Lopez of
6 Ringler and Associates, San Diego.

7 The petition for approval of settlement involving a minor and
8 for distribution of funds proposed the following distributions:

9 Gross Settlement \$400,000

11 Bertha W.'s Gross Share \$200,000

12 || Half the Costs 24,440.17

13 Net Settlement 175,559.83

14 1/3 Attorney Fees 58,519.93

15 Bertha W.'s Share 117,039.90

17 Marshawn W 's Gross Share \$200 000

18 1/4 Attorney Fees 50,000

19 Half the Costs 24,440.17

20 Marshawn W.'s Share 125,559.83

22 After reviewing the petition and conferring with counsel, Mr.
23 Valdez and plaintiffs, and finding good cause therefor,

24 IT IS HEREBY ORDERED:

25 (1) The distribution of settlement proceeds between the minor
26 and his mother is fair and reasonable;

27 (2) The costs of litigation and manner of deduction from each
28 plaintiff's share is fair and reasonable;

1 (3) The attorneys fees for the minor are in accord with the
2 statute and the attorneys fees for Bertha Washington are fair and
3 reasonable;

4 (4) The structured settlement proposed in the petition shall
5 be modified so that the \$125,559.83 share of Marshawn Washington,
6 Jr. shall be invested with an A+ rated company with a 40 year
7 guarantee to pay the following amounts payable to Marshawn
8 Washington, Jr.: (a) \$50,000 on his 18th birthday; (b) \$50,000 on
9 his 25th birthday; (c) \$101,500 on his 30th birthday; (d) \$101,500 on
10 his 35th birthday; and (e) \$101,500 on his 40th birthday.

11 (5) The County of San Diego shall prepare two separate
12 settlement drafts. The first shall be for Marshawn Washington,
13 Jr.'s structured settlement and shall be made payable to Hartford
14 CEBSCO (TIN #061120503) and shall be delivered to Mr. Valdez'
15 office no later than February 23, 2007. The second shall be for
16 the balance of the \$400,000 settlement (\$274,440.17) which
17 represents the share of Bertha Washington, costs and attorney fees
18 and shall be made payable to Bertha Washington and Eugene G.
19 Iredale, Esq. and shall be delivered to Mr. Iredale's office no
20 later than February 23, 2007.

21

22 IT IS SO ORDERED.

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DATED: 2/15/07

W. McCurine
Hon. William McCurine
U.S. District Court Judge